

1 PORTER | SCOTT

2 A PROFESSIONAL CORPORATION

3 Terence J. Cassidy, SBN 99180

4 Kristina M. Hall, SBN 196794

5 350 University Ave., Suite 200

6 Sacramento, California 95825

7 TEL: 916.929.1481

8 FAX: 916.927.3706

9 Attorneys for Defendants COUNTY OF BUTTE and SHERIFF/CORONER PERRY L.  
10 RENIFF

11

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14

15 DENISE SALERNO, individually and as  
16 Administrator of the ESTATE OF  
17 ARTHUR ANTHONY SALERNO, JR.  
(Decedent),

18 Plaintiffs,

19 vs.

20 COUNTY OF BUTTE, CALIFORNIA;  
21 SHERIFF/CORONER PERRY L.  
22 RENIFF; STATE OF CALIFORNIA;  
23 CALIFORNIA HIGHWAY PATROL;  
24 CALIFORNIA HIGHWAY PATROL  
COMMISSIONER MIKE BROWN;  
SARGENT S. MUDERS, BADGE No.  
9613, individually and in his official  
capacity as a CALIFORNIA HIGHWAY  
PATROL Officer; OFFICER M.E.  
ORTIZ, Badge No. 16562, individually  
and in his official capacity as a  
CALIFORNIA HIGHWAY PATROL  
Officer; OFFICER G. CORNWELL,  
Badge 10569, individually and in his  
official capacity as a CALIFORNIA  
HIGHWAY PATROL Officer; and DOES  
1 through 100, inclusive

25 Defendants.

26 Case No. C 07-4336 MEJ

27 STIPULATION AND PROPOSED ORDER  
28 TO TRANSFER VENUE TO THE  
EASTERN DISTRICT OF CALIFORNIA  
PURSUANT TO 28 U.S.C. § 1406

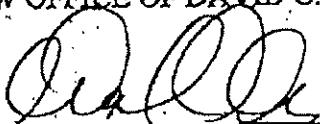
29 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff DENISE  
30 SALERNO and Defendants COUNTY OF BUTTE, CALIFORNIA; SHERIFF/CORONER

1 PERRY L. RENIFF; STATE OF CALIFORNIA; CALIFORNIA HIGHWAY PATROL;  
2 CALIFORNIA HIGHWAY PATROL COMMISSIONER MIKE BROWN; S. MUDERS;  
3 M.E. ORTIZ; and G. CORNWELL that the Complaint and the allegations of fact contained  
4 therein are not based upon diversity of citizenship. The parties further stipulate that a  
5 substantial part of the events or omissions giving rise to the First Amended Complaint  
6 occurred in the Eastern Judicial District.

7 In light of the foregoing, the parties hereby stipulate that venue pursuant to 28 U.S.C.  
8 §1331(b) is appropriately had in the Eastern Judicial District of California. Thus, the parties  
9 further stipulate that Civil Action No. C-07-4336 MEJ, filed in the United States District  
10 Court for the Northern District of California, should be transferred, pursuant to 28 U.S.C.  
11 §1406(a), to the Eastern Judicial District.

12  
13 Dated: 9/14/07

LAW OFFICE OF DAVID C. ANDERSON

14  
15 By   
16 David C. Anderson  
17 Attorney for Plaintiff DENISE SALERNO

18 Dated: 9-21-07

PORTER SCOTT

19  
20 By   
21 Terence J. Cassidy  
22 Attorney for Defendants COUNTY OF BUTTE  
23 and SHERIFF/CORONER PERRY L. RENIFF

24 Dated: 9/19/07

CALIFORNIA DEPARTMENT OF JUSTICE  
25 OFFICE OF THE ATTORNEY GENERAL

26 By   
27 Attorney for Defendants STATE OF  
28 CALIFORNIA; CALIFORNIA HIGHWAY  
PATROL; CALIFORNIA HIGHWAY PATROL  
COMMISSIONER MIKE BROWN; S.  
MUDERS; M.E. ORTIZ; and G. CORNWELL

[PROPOSED] ORDER

**IT IS HEREBY ORDERED** that pursuant to 28 U.S.C. §1406(a), Civil Action C 07-4336 MEJ, filed in the United States District Court for the Northern District of California, be transferred to the United States District Court for the Eastern District of California.

Dated: September 1, 2007

Hon. Maria Elena James  
MAGISTRATE JUDGE OF THE UNITED  
STATES DISTRICT COURT